

ORDINANCE NO. 4731

AN ORDINANCE to amend and reordain Section 9-104 (PROHIBITED SIGNS, MARQUEES AND AWNINGS AND EXCEPTIONS), Section 9-202 (COMMERCIAL ZONES), and Section 9-301 (REVIEW REQUIRED) all of Article IX (SIGNS, MARQUEES AND AWNINGS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2011-0007.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2011-0007, the planning commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on June 7, 2011 of a text amendment to the Zoning Ordinance to allow limited A-frame signs in the Central Business District, which recommendation was approved by the City Council at public hearing on June 25, 2011;

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 9-104 of the Zoning Ordinance be, and the same hereby is, amended by deleting and inserting new language, as shown in underline and strikethrough:

Sec. 9-104 *Prohibited signs, marquees and awnings and exceptions.*

(E) *Signs, marquees and awnings encroaching upon a public right-of-way.* No sign, marquee or awning, or any part thereof, or any part of the foundation or support thereof, may be erected or displayed on, over or across any street, road, highway, alley, sidewalk or other public right-of-way, unless an ordinance authorizing such encroachment has been enacted by city council; provided, however, that any banners authorized pursuant to section 9-104(F), political signs authorized by section 9-201(A)(10), signs, marquees and awnings specifically authorized by city council in a commercial zone authorized by section 9-202(B)(4), ~~and 9-202(B)(8), and 9-202(F)~~ and curb signs shall not be subject to this section 9-104(E).

Section 2. That Section 9-202 of the Zoning Ordinance be, and the same hereby is, amended by adding a new section F as shown in underline below:

Sec. 9-202 *Commercial Zones*

- (F) *A-frame signs.* Notwithstanding any provision to the contrary in this ordinance, A-frame signs may be permitted on King Street for businesses within the Central Business District, as defined by Section 8-300, provided they comply with the following provisions:
- (a) *Application and approval process.* An application for an A-frame sign permit shall be submitted and shall include a plan reasonably depicting the location, size, text, appearance and method of installation of the proposed sign to be located in the public right of way, and such additional information as the Director may reasonably require. The Director may approve the application after determining that the proposed sign plan will be reasonable, attractive and promote pedestrian and retail vitality in the Central Business District, and that there is adequate space remaining within the public right of way to facilitate safe circulation of pedestrian traffic. No material change to the approved plan shall be made without prior written approval by the Director.
 - (b) *King Street locations.* A maximum of four signs may be located on any one intersection of King Street and each intersecting street, one on each corner.
 - (c) *Eligible businesses.* For each sign, eligible businesses include restaurants, retail uses, and retail oriented businesses, which include restaurants and retail and personal services uses, as those terms are defined by this ordinance, located on adjacent blockface on a street within the Central Business District, which street intersects with or is parallel to King Street. Eligible businesses shall not include banks, savings and loans, credit unions and contractor or other offices.
 - (d) *Number of signs.* A maximum of one A-frame sign is permitted for all eligible businesses on any eligible blockface.

- (e) Size of sign. Signs may not exceed 42 inches in height and 24 inches in width.
- (f) Illumination. Illuminated signs are prohibited.
- (g) Pedestrian safety. Pedestrian safety shall be preserved through the placement and securing of signs so as to permit safe and adequate pedestrian thoroughway along the sidewalk, crossing of streets, entry and alighting from cars and buses, and access to curb ramps.
- (h) Temporary signs. All signs, including installation materials, placed in the right of way shall be temporary and shall be readily removable without any damage to the surface of the right of way.
- (i) Compliance with law. All signs shall comply with all applicable city, state and federal laws and regulations.
- (j) Director requirements. Signs shall comply with such additional reasonable terms and conditions as the Director may require and include in the permit.

Section 3. That Section 9-301 of the Zoning Ordinance be, and the same hereby is, amended by adding a new section (B)(7) as shown in underline below:

9-301 Review required.

- (B) *Exemptions.* The following signs shall not be subject to the requirement of section 9-301(A):

(7) A-frame signs authorized and approved pursuant to section 9-202 (F).

Section 4. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 5. That Sections 9-104, 9-202 and 9-301, as amended pursuant to Section 1, Section 2 and Section 3 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 6. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

WILLIAM D. EUILLE
Mayor

Final Passage: June 28, 2011